

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sandhu, et al. Confirmation No. 7624  
Serial No. 10/815,428 Examiner: Gregory W. Adams  
Filed: March 31, 2004 Group Art Unit: 3652  
For: ROBOTIC HAND WITH MULTI-WAFER END EFFECTOR  
Date: November 14, 2006

U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(37 C.F.R. § 1.26a))

On September 21, 2006, a fee of \$250.00 was charged to Deposit Account No. 13-1703 (copy attached). A refund of \$250.00, the filing fee for an Appeal Brief, Fee Code 2402, is hereby requested.

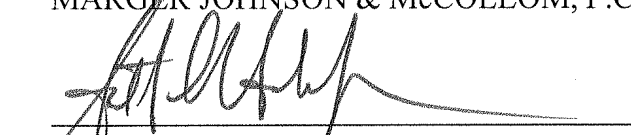
- On April 3, 2006, Applicant filed an Appeal Brief. As shown on Exhibit A attached herewith entitled "Transmittal Letter," Applicant submitted via PTO-2038, the Appeal Brief Filing Fee of \$250.00.
- Attached as Exhibit B is a copy of the U.S. Patent and Trademark Office Revenue Accounting and Management System – Credit Card Transactions for the time period April 1 – June 16, 2006, confirming the charge of the Appeal Brief filing fee of \$250.00 on April 4, 2006.
- Upon review of Applicants' Appeal Brief, the Examiner issued a Notification of Non-Compliant Appeal Brief on August 11, 2006, attached herewith as Exhibit C. The deadline to submit an amended Appeal Brief was September 11, 2006.

- Attached as Exhibit D is a copy of Applicants' Transmittal Letter and the first page of Applicants' amended Appeal Brief filed on September 11, 2006, wherein, Applicant verifies that the fee required under §41.20(b)(2) was properly paid on April 3, 2006.

Applicant respectfully requests a refund of the duplicate Appeal Brief filing fee charged in error to Deposit Account No. 13-1703. Please credit such refund to Deposit Account 13-1703.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



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Scott A. Schaffer  
Reg. No. 38,610

MARGER JOHNSON & McCOLLOM, P.C.  
210 SW Morrison Street, Suite 400  
Portland, OR 97204  
Telephone: (503) 222-3613



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\*\*\* O.D. INDICATES OVERDRAWN

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sandhu, et al.

Confirmation No. 7624

Serial No. 10/815,428

Examiner: Gregory W. Adams

Filed: March 31, 2004

Group Art Unit: 3652

For: ROBOTIC HAND WITH MULTI-WAFER END EFFECTOR

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
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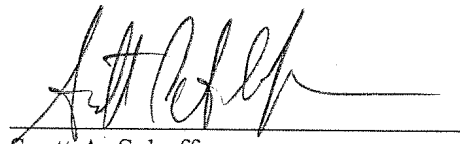
Enclosed for filing in the above-referenced application are the following:

- ☒ Appeal Brief (13 pages; Exhibit A- 17 pages)
- ☒ Filing Fee (\$250)
- ☒ Applicant claims small entity status (see 37 CFR 1.27)
- ☒ Any deficiency or overpayment should be charged or credited to deposit account number 13-1703. A duplicate copy of this sheet is enclosed.

**Customer No. 20575**

Respectfully submitted,

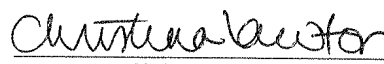
MARGER JOHNSON & McCOLLOM, P.C.



Scott A. Schaffer  
Reg. No. 38,610

MARGER JOHNSON & McCOLLOM, P.C.  
210 SW Morrison Street, Suite 400  
Portland, OR 97204  
503-222-3613

I hereby certify that this correspondence  
is being transmitted to the U.S. Patent and  
Trademark Office via facsimile number  
571-273-8300, on April 3, 2006.

  
Christina Lawton

**EXHIBIT A**

## Credit Card Transactions

# U.S. PATENT AND TRADEMARK OFFICE REVENUE ACCOUNTING AND MANAGEMENT SYSTEM

## CREDIT CARD TRANSACTIONS

Card Number: 4864      Start Accounting Date: 03/31/2006      End Accounting Date: 11/08/2006      Date/Time of Report: Wed Nov 8 08:58:53 2006

## Credit Card Sales

Accounting Date	Create Date	Amount	Fee Code	Name/Number	Attorney Docket Number
03/31/2006	03/30/2006 06:54:00 PM	\$40.00	8021	11305534	8036-002 (BILLED)
04/04/2006	04/04/2006 02:22:19 PM	\$40.00	8021	10569359	4624-002
04/04/2006	04/04/2006 07:19:41 AM	\$250.00	2402	10815428	8776-012
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,428	03/31/2004	Jaswant Sandhu	8775-012	7624

20575 7590 08/11/2006  
MARGER JOHNSON & MCCOLLOM, P.C.  
210 SW MORRISON STREET, SUITE 400  
PORTLAND, OR 97204

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 08/11/2006



Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief  
(37 CFR 41.37)**

Application No.

10/815,428

Applicant(s)

SANDHU ET AL.

Examiner

ADAMS, GREGORY

Art Unit

3652

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 17 July 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.

**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☒ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☐ Other (including any explanation in support of the above items):

Item 6. Each ground of rejection should be argued under its own heading. The heading should consist of authorities, statutes, and parts of the record relied on.

  
Lorenda Hood  
Patent Appeals Specialist

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Sandhu, et al.

Confirmation No. 7624

Serial No. 10/815,428

Examiner: Gregory W. Adams

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MAIL STOP Appeal Brief – Patents  
Commissioner for Patents  
P.O. Box 1450  
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**TRANSMITTAL LETTER**

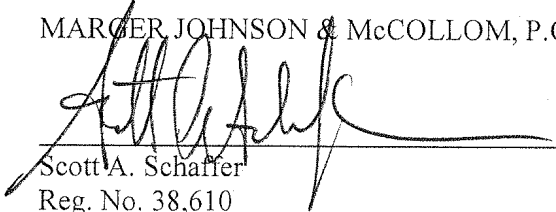
Enclosed for filing in the above-referenced application are the following:

- ☒ Transmitted herewith is a complete new Appeal Brief, submitted in response to the Notification of Non-Compliant Appeal Brief dated August 11, 2006.
- ☒ The fee required under §41.20(b)(2) was filed with Appellant's Appeal Brief dated April 3, 2006. However, any deficiency or overpayment should be charged or credited to Deposit Account 13-1703.

**Customer No. 20575**

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.

  
\_\_\_\_\_  
Scott A. Schaffer  
Reg. No. 38,610

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MAIL STOP Appeal Brief – Patents  
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**APPELLANT'S BRIEF  
UNDER 37 C.F.R. § 41.37**

This Appeal Brief is in furtherance of the Appeal Brief filed on April 3, 2006 and the Notification of Non-Compliant Appeal Brief mailed on August 11, 2006. Appeal is taken from the Examiner's Office Action mailed November 3, 2005, finally rejecting claims 36-45 in the instant application.

In response to the Notification of Non-Complaint Appeal Brief, Appellant has modified the Appeal Brief to present its arguments under a separate heading for each ground of rejection on appeal.

The fee required under §41.20(b)(2) was filed with Appellant's Appeal Brief dated April 3, 2006.

This Brief contains these items under the following headings, and in the order set forth below.